

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-4518**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOSEPH LONNIE HODGE,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Durham. N. Carlton Tilley, Jr., Chief District Judge. (CR-02-19)

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Submitted: January 16, 2003

Decided: January 22, 2003

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Before WILLIAMS, KING, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Matthew A. Victor, VICTOR, VICTOR & HELGOE, L.L.P., Charleston, West Virginia, for Appellant. Anna Mills Wagoner, United States Attorney, Lisa B. Boggs, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Joseph L. Hodge pleaded guilty to violating the terms of his supervised release. The district court entered an order revoking Hodge's supervised release, and sentencing him to eleven months incarceration and twenty-five months of supervised release. Hodge's counsel has filed an appeal under Anders v. California, 386 U.S. 738 (1967), asserting Hodge was not competent to participate in the proceeding. Hodge's claim is meritless. Hodge cannot show he was unable to rationally consult with his lawyer, or unable to understand the proceeding against him. Dusky v. United States, 362 U.S. 402, 402 (1960) (per curiam)); United States v. Mason, 52 F.3d 1286, 1289 (4th Cir. 1995).

Accordingly, we affirm the district court order. United States v. Hodge, No. CR-02-19 (M.D.N.C. July 2, 2002). In accordance with Anders, we have reviewed the entire record in this case and find no other meritorious issues for appeal. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client.

AFFIRMED